United Nations S/PV.7620

# Security Council

Seventy-first year

*Provisional*

**7620**th meeting
Thursday, 11 February 2016, 10 a.m.
New York

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| *President*: | Mr. Ramírez Carreño | (Venezuela (Bolivarian Republic of)) |
| *Members*: | Angola | Mr. Gaspar Martins |
| | China | Mr. Liu Jieyi |
| | Egypt | Mr. Aboulatta |
| | France | Mr. Lamek |
| | Japan | Mr. Yoshikawa |
| | Malaysia | Mrs. Adnin |
| | New Zealand | Mr. Van Bohemen |
| | Russian Federation | Mr. Safronkov |
| | Senegal | Mr. Ciss |
| | Spain | Ms. Pedros |
| | Ukraine | Mr. Vitrenko |
| | United Kingdom of Great Britain and Northern Ireland | Mr. Rycroft |
| | United States of America | Mr. Pressman |
| | Uruguay | Mr. Bermúdez |

## Agenda

General issues relating to sanctions

Working methods of the subsidiary organs of the Security Council

Letter dated 2 February 2016 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General (S/2016/102)

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16-03494 (E)

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*The meeting was called to order at 10.10 a.m.*

**Adoption of the agenda**

*The agenda was adopted*

**General issues relating to sanctions**

**Working methods of the subsidiary organs of the Security Council**

**Letter dated 2 February 2016 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General (S/2016/102)**

**The President** (*spoke in Spanish*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of the Central African Republic, Chile, Côte d'Ivoire, Eritrea, the Islamic Republic of Iran, Libya, the Sudan and Sweden to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2016/102, which contains the text of a letter dated 2 February 2016 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General.

At this meeting, the Security Council will hear briefings by His Excellency Mr. Olof Skoog, Permanent Representative of Sweden, and His Excellency Mr. Carlos Olguin Cigarroa, Deputy Permanent Representative of Chile.

I now give the floor to Ambassador Skoog.

**Mr. Skoog** (Sweden) (*spoke in Spanish*): I thank Venezuela for inviting me to speak and for taking the initiative to organize this important meeting.

In the mid-1980s, Sweden introduced economic sanctions against the apartheid regime of South Africa. These sanctions were essentially unilateral in nature at the time, but with strong political symbolism. Since then, Sweden has been engaged in processes aimed at making sanctions more effective and transparent, including, most recently, in the high-level review of United Nations sanctions, conducted together with Australia, Finland, Germany and Greece.

The legal basis for United Nations sanctions derives from the Charter of the United Nations. The sanctions instrument has evolved over time. Over the past quarter of a century, the Security Council has deployed sanctions with increasing regularity and with increasingly broader aims. They have been used to address evolving threats to international peace and security, to counter terrorism, nuclear proliferation, violations of human rights and the illegal exploitation of natural resources, to name a few. There are important lessons to be drawn from experiences over the years.

First and foremost, sanctions can never be successful in isolation. They must always be part of a broader political strategy. To this end, closer interaction between chairs of sanctions committees and penholders of resolutions mandating sanctions should be encouraged. Coherent overall political strategies that include the various tools at the disposal of the Council should be forged. In addition, further interaction between sanctions committees and the Secretariat, to coordinate activities and take into consideration input provided by panels of experts and monitoring teams, should also be considered.

Secondly, sanctions need to have clear objectives and clear criteria for suspension or termination. They have to be targeted and implementable, easily understood and well communicated. They should be designed to avoid unintended consequences, including placing burdens on neighbouring States, limiting legitimate trade and having any negative humanitarian impact on civilian populations.

Thirdly, sanctions have to come with transparent procedures and provisions for due process. In this context, the sanctions committees are critical, being the primary interface between the United Nations sanctions system and Member States. A number of important steps to increase transparency in the working methods of the sanctions committees have already been taken. There is now more active engagement with the principal stakeholders. Committee chairs are conducting more field visits to gain a more immediate understanding of the situation. Reporting to the public has increased, including with frequent press releases. These efforts should be commended and strengthened.

In the high-level review, we identified a number of additional actions for improving the working methods of the sanctions committees. I should like to highlight just a few.

Sanctions committees could present their reports to the Council in a public meeting. This would allow Member States to be kept informed and more involved, and help relevant agencies in Member States to better understand implementation requirements. Chairs of sanctions committees with similar themes or geographical scope could organize joint meetings, including in the regions, to promote understanding of similar issues and challenges. Similarly, the Secretariat could organize targeted meetings with New York-based regional groups on challenges to sanctions implementation and to seek possible assistance. Committees could routinely review individual and entity designations to ensure that listings remain appropriate. The Security Council and sanctions committees could utilize standardized terms and guidelines to reduce uncertainty and the potential for overcompliance with United Nations sanctions, and each Committee could indicate exemptions in clear and precise language on the main page of its website.

Another issue for consideration is the appointment of chairs of sanctions committees. Presidential note S/2012/937, on Council working methods, states that chairs should be appointed "in a balanced, transparent, efficient and inclusive way". Increased transparency in this process and broader consultation with Council members would ensure a better balanced distribution of chairs. Moreover, new chairs of sanctions committees should be appointed as early as possible after each election of non-permanent members of the Security Council to allow for improved preparation. Comprehensive and timely hand-over between outgoing and incoming chairs should become established practice. Earlier elections of non-permanent members of the Security Council, which was introduced for the first time this year, will be helpful in this regard.

In conclusion, we hope that today's important discussion and the recommendations on more transparent working practices identified by the high-level review on United Nations sanctions will add to the efforts to make sanctions ever more effective.

**The President** (*spoke in Spanish*): I thank Ambassador Skoog for his briefing.

I now give the floor to Ambassador Olguín Cigarroa.

**Mr. Olguín Cigarroa** (Chile) (*spoke in Spanish*): It is an honour to speak before the Council under your presidency, Sir. This statement is being read out on behalf of the Permanent Representative of Chile, Ambassador Cristián Barros, the former Chair of the Committees established pursuant to resolution 1572 (2004), concerning Côte d'Ivoire, and resolution 2206 (2015), concerning South Sudan, who unfortunately could not be with us today. We thank Venezuela for allowing us to share some thoughts and proposals about the working methods of the Security Council's subsidiary organs, and particularly the sanctions committees.

This debate reflects the shared interest in improving the sanctions regimes, as seen in earlier initiatives, such as the meeting held by the Council in November 2014 on general questions relating to sanctions (S/PV.7323) and the high-level review of United Nations sanctions and the resulting compendium, circulated in June 2015 (S/2015/432, annex). We welcome the presence and participation today of representatives of the States concerned and interested in the subject, since their opinion will help to improve the way these mechanisms work.

The universal character of the United Nations makes it the appropriate body for establishing and monitoring sanctions. We welcome the fact that these are a non-military response to addressing threats to international peace and security that is preventive in nature and adaptable to new challenges. Although progress has been made in recent years, problems still exist that affect the effective implementation of sanctions by Member States. On the basis of our experience in presiding over the aforementioned subsidiary organs, we have identified some issues and situations of concern to us.

First, the sanctions committees cover a broad range of topics, including non-proliferation, terrorism, gross and systematic violations of human rights, peaceful political transitions, illegal exploitation of and unlawful trafficking in natural resources, and the recruitment and use of children for military purposes. The committees have so far been using a variety of tools, such as travel bans, assets freezes amd arms embargoes, paying attention to proportionality and functionality.

In order to help the various players to understand the complexity of the sanctions regimes and their tools, we believe that it would be reasonable to establish some common denominators and to identify best implementation practices. We therefore suggest that consideration be given to the preparation of an

implementation assistance note for the application of all Security Council sanctions to supplement the consolidated sanctions list.

Secondly, criticisms about a lack of due process in the establishment of sanctions regimes or the designation process may undermine the legitimacy of the sanctions and hamper their implementation. Due process is a general principle of law that has a practical usefulness. A lack of due process makes it difficult for some States and regional political communities to implement the sanctions. Therefore, the Council should strengthen the mandate of the Office of the Ombudsperson and extend that mandate — currently applicable to the Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) — to other sanctions committees. The establishment, by resolution 1730 (2006), of a focal point for delisting from sanctions lists was a significant development, although there is still room for improvement.

Thirdly, with regard to transparency and outreach, we should acknowledge that there has been progress in that regard. However, the remaining shortcomings in transparency and outreach are an obstacle to sanctions implementation. We believe that the periodic reports of the sanctions committees and other subsidiary organs to the Security Council should, as a general rule, be delivered in public. That would help to make the committees' work more transparent, enhance understanding of the sanctions regimes and help to emphasize that all of us should implement the sanctions. Generally speaking, there is no reason to justify why some sanctions committees, such as the one established pursuant to resolution 1718 (2006), should continue to report to the Council in closed consultations. Moreover, such briefings should be accompanied by press releases from the sanctions committees — a tool that we believe is underutilized. In addition, visits to Member States by spokespersons in order to explain the entire United Nations sanctions architecture could be useful.

Fourthly, I should like to turn to the dialogue between the committees and Member States, especially those directly affected by sanctions, neighbouring States and States of the region. A number of resolutions and committee guidelines call for measures to enhance transparency and increase dialogue with the Member States. However, in practice those efforts are limited. In our experience, the working visit made by the Permanent Representative of Chile to Côte d'Ivoire in November 2014, in his capacity as Chair of the Committee established pursuant to resolution 1572 (2004), was important for his chairmanship, as it improved channels for communication and cooperation, provided a new perspective on the impact of sanctions on the ground, narrowed perception gaps and relaunched the relationship with the United Nations Operation in Côte d'Ivoire. There is therefore a need for improved dialogue with affected States and, as far as the security situation allows, to promote on-site visits by sanctions committees and their respective Chairs to verify and evaluate in situ the implementation and impact of the sanctions, as well as to promote better coordination with other United Nations organs and missions.

Fifthly, with regard to unintended consequences, there is a possibility that certain sanctions, such as those involving specific natural resources, may adversely impact legitimate trade and artisanal communities that rely on those resources for survival. Moreover, it is imperative to prevent sanctions from having humanitarian consequences. That is a point on which questions continue to be raised; it is essential to address it because it could undermine the overarching interest of the Charter of the United Nations, namely, the dignity and rights of individuals. We believe that, before establishing sanctions, the subsidiary organs of the Council should evaluate the legal frameworks in a country and the region and anticipate potential unintended negative consequences of a humanitarian or socioeconomic nature.

Assistance and cooperation should enhance national capacities and national ownership by the States concerned, at their request, in areas such as the exploitation of natural resources, including plants and wildlife, and the control of small arms and light weapons, while at the same time providing the requested support for the implementation of instruments such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Kinshasa Convention for the Control of Small Arms and Light Weapons.

Sanctions regimes are among the tools available to the Security Council to deal with threats to international peace and security. They are temporary tools and not an end in themselves. The Council should therefore not perpetuate sanctions committees indefinitely — some have lasted for years and become anachronistic. Against that backdrop, it is necessary to identify in a more precise manner the goals to be achieved with

the establishment of a committee, while also assessing regularly whether the objectives are being achieved.

With regard to working methods, we suggest that concrete measures be adopted to facilitate the management of committees. For example, once new members of the Security Council are elected, they should quickly learn the committee chairmanships to which they are going to be assigned, in order to allow incoming teams to prepare for their new and important tasks. We also suggest improving the processing time for applications and queries that are formulated to the committees.

I conclude by calling for a reflection on modalities for improving the sanctions architecture. In that context, we believe in the need to continue considering ways and means of improving the work of the Security Council's subsidiary organs. Sanctions are also related to the effectiveness of the system. They have multiple dimensions and effects, which makes it imperative to follow up on the responsibility for implementing them and on the duty to neutralize the negative unintended consequences on the population. We therefore appreciate the interest in promoting a process of reflection based on realism and practicality.

**The President** (*spoke in Spanish*): I thank Ambassador Olguín Cigarroa for his briefing.

I shall now give the floor to the members of the Security Council.

**Mr. Liu Jieyi** (China) (*spoke in Chinese*): China thanks the delegation of Venezuela for its initiative to convene this meeting. I also wish to thank the Permanent Representative of Sweden and the Deputy Permanent Representative of Chile for their briefings.

The Charter of the United Nations entrusts the Security Council with the primary responsibility for the maintenance of international peace and security. The Council should continuously improve its procedures, increase its efficiency, enhance its relevance and transparency and better implement the mandate entrusted to it. That has a bearing on the role of the United Nations and on the common interests of the broader membership of the Organization.

With the joint effort of the membership of the Security Council, there has recently been progress in improving the Council's working methods. The Council has attached importance to improving transparency, while there has also been a marked increase in the number of open debates, as well as in the number of timely briefings to non-members on the work of the Council. In addition, under various formats, the Council has increased its interaction with the broader membership, regional organizations, the General Assembly, the Economic and Social Council and other bodies. China supports continued improvement in the Council's working methods and bringing its central role in the maintenance of international peace and security into full play. I wish to highlight the following points.

First, in the light of the mandate conferred on it by the Charter of the United Nations, the Council should focus its resources and energy on the major urgent items concerning international peace and security. While addressing thematic issues, the Council should abide by its responsibilities, increase its communication with the General Assembly, the Economic and Social Council and the Peacebuilding Commission in order to bring their respective vantage perspectives and expertise into full play, and strengthen coordination and the division of labour to avoid redundancy.

Secondly, the Council should pay more attention to preventive diplomacy and mediation. The Council should advocate and promote the culture of peace; increase the use of such means as mediation, good offices and political processes to settle differences and disputes and resolve crises; and refrain from the threat or use of sanctions. The Council should pay more attention to the views of the affected countries in order to rationalize its own decision-making. In the light of requirements under Chapter VIII of the Charter, the Council shall strengthen its coordination and cooperation with regional organizations.

Thirdly, the Security Council should hold full consultations and strive to secure broad consensus. In decision-making, Council members should hold full and thorough consultations and strive to secure consensus. There is a need to refrain from forcing through a draft text against the backdrop of serious differences among parties, so that the unity of the Council can be maintained and the authority of its resolutions enhanced.

Fourthly, the Council's subsidiary bodies need to comprehensively implement their mandates. The Council's sanctions committees need to strengthen their work on designation, delisting and review; conduct regular reviews of the sanctions list; and implement Council resolutions in a comprehensive and accurate manner. The relevant panels of experts need to carry out

their work in an objective, fair and reciprocal manner in order to improve the impartiality and transparency of the sanctions regime and maintain the authority and efficacy of United Nations sanctions.

The Counter-Terrorism Committee, the Committee established pursuant to resolution 1540 (2004), the Working Group on Peacekeeping Operations and other subsidiary bodies need to provide technical guidance and support in the light of their specific needs and help Member States to enhance their capacity-building efforts.

**Mr. Lamek** (France) (*spoke in French*): I thank you, Sir, for having organized this debate under your presidency on the working methods of the subsidiary organs, in particular the sanctions committees. We attach great importance to the proper functioning of the sanctions committees, which are now at the heart of the activity of the Security Council. With 16 active regimes, sanctions have become a critical tool for the Security Council that has proven its effectiveness. The pressure exerted by the international community through the sanctions regime established in 1977 on South Africa gradually led that country to end apartheid, allowing for the lifting of sanctions in 1994.

With regard to Iran, through five resolutions adopted by the Council the international community expressed its deep concern about the Iranian nuclear programme. Ten years after the Security Council was first seized of that matter, we have turned a new page in relations with Iran by lifting the sanctions regime following Iran's implementation of its commitments in accordance with the Vienna agreement. A new system of restrictions and vigilance is now in force and will be presented tomorrow to Member States. It is an indispensable guarantee that the Vienna agreement will be fully respected. The pressure exerted by sanctions played a central role in creating the possibility to reach an agreement.

We must not let those success stories lead us to underestimate the complexity of this tool. Over the years, we have succeeded in adapting it and focusing it on each individual situation, lessening the consequences for civilians, inasmuch as possible, while increasingly ensuring human rights. Sanctions are a key tool in the process of resolving crises. They can be a tool to support States weakened by insecurity or the presence of armed groups in their territory. Countries such as Somalia, the Central African Republic and the Democratic Republic of the Congo come to mind. In the Democratic Republic of the Congo, for example, the sanctions regime changed in line with the situation. Established in 2003, the arms embargo has been continuously modified, and since 2008 has targeted only non-governmental entities. With regard to individual sanctions against armed groups, the Government of the Democratic Republic of the Congo itself has requested that the sanctions regime be strengthened.

In Côte d'Ivoire, we were able to adapt the sanctions regime in order to support the country on its path to stability, which has been restored since the 2010-2011 crisis. In 2013, the rapid improvement of the situation in all areas justified the Security Council's decision to lift the diamond embargo and ease the arms embargo. Subsequently, certain individuals were removed from the sanctions list in order to promote the political process and national reconciliation. Those adaptations have contributed to the recovery of the Côte d'Ivoire.

The scope of sanctions is also flexible as we seek to ensure that sanctions target the individuals, entities or sectors that directly pose a threat to the stability of States. Accordingly, the illegal exploitation of natural resources has become a criterion for designation in several sanctions regimes. Sanctions aimed at charcoal in Somalia, diamonds in the Central African Republic and natural resources and the trafficking of endangered species in the Democratic Republic of the Congo are just some examples of sanctions regimes that have evolved in order to better target the resources that armed groups use to finance themselves. Similarly, the sanctions regime pursuant to resolution 1267 (1999), which originally targeted Al-Qaida, has accordingly evolved with the terrorist threat to include Da'esh.

More flexible and more targeted, sanctions regimes must also offer tools that protect human rights. The establishment of the Office of the Ombudsperson in 2009 concerning the Al-Qaida regime was a major innovation that has largely demonstrated its usefulness and effectiveness. That mechanism, which allows individuals and entities subject to sanctions under the 1267 regime to seek recourse if they believe that the decision is unjustified, represents an important step forward in terms of transparency. While we seek to adjust sanctions regimes to ensure that they are the most effective possible, we must pursue efforts to improve the working methods of the sanctions committees. The Secretariat has undertaken noteworthy work in that regard, and we must continue to pursue and reinforce it.

As pertains to transparency, we endorse the proposals made in the concept note introduced by the presidency (S/2016/102, annex), as they will promote better understanding of the functions of the sanctions committees. We believe, for example, that the panels of experts mandated for the various sanctions regimes produce very valuable reports, the publication of which should not be called into question. We are also in favour of convening meetings with countries subject to sanctions regimes and the countries of the region, in particular neighbouring countries, because we hope that such meetings will allow for a better implementation of sanctions. The field visits of chairs of sanctions committees, where possible, are also useful in promoting better understanding of sanctions regimes by the countries concerned.

We know that chairing subsidiary organs is an important responsibility that falls on the shoulders of the non-permanent members of the Security Council. As for the rest of the Council's activities, the election of new members earlier in the year will allow for better upstream preparation. As penholder on numerous sanctions regimes in Africa, we have always been and remain available to the chairs of the committees as they take up their functions along with the Secretariat, which plays an essential role.

We read with interest about the work of the Like-minded Group and that of the High-level Review of United Nations Sanctions. Many of the recommendations seem useful to us, namely, that of continuing to ensure fairness, to which we are committed nationally as well as in our capacity as a member of the European Union. Sanctions are primarily a political tool at the disposal of the Council to assist it in upholding its responsibility to safeguard international stability and security, which means that we must be all the more demanding with respect to the effectiveness and smooth functioning of the regimes that we establish.

**Mr. Gaspar Martins** (Angola): Mr. President, I wish to thank you for having organized this debate on the working methods of the subsidiary bodies of the Security Council, addressing and improving transparency and efficiency in the work of these bodies, in particular the sanctions committees.

Since this is also the first time that I am taking the floor under your presidency, let me congratulate you, Sir, on having assumed the presidency and wish you and your delegation much success in your work for this month, as has been already demonstrated. We wish to express our support for the concept note by the President on the work of the subsidiary bodies of the Security Council (S/2016/102, annex) and for the pertinent suggestions that you have offered regarding improvements in the areas of transparency; selecting and preparing committee Chairs; interaction and coordination among the subsidiary organs and the Council itself; and the need for the mechanism to oversee the implementation of the proposals put forward in the note.

Considering that the Security Council makes extensive use of sanctions regimes in its attempts to restrict, impose a change in behaviour or deter certain States, individuals and entities regarded as threats to international peace and security, the sanctions committees play and will continue to play a substantive role as a strong political tool of the Council. This implies the permanent need to improve them, namely with respect to the decision-making process, the adoption of sanctions and their imposition, enforcement and lifting.

Transparency and outreach are identified in the draft note as key issues to be carefully addressed by the Security Council. It is the current perception of the elected members and the wider United Nations membership that the issue of transparency is closely linked to the legitimacy of imposing sanctions due to its extreme political sensitivity. Thus transparency is crucial at all stages of the process leading to the imposition of sanctions, starting from its design, through the drafting of the ensuing decisions, its enforcement by the international community and, finally, the assessment of its effectiveness and compliance.

Compliance by the international community requires that information be provided to Member States, which must reciprocate, implying a need to increase understanding of the essence of sanctions regimes, their objectives and the requirements for their implementation. The draft note suggests substantial changes in the way in which the sanctions committees operate, so as to curtail the perception that much of the committees' work is carried out without the full knowledge of all Council members, even though the committees are normally chaired by elected members. This issue, I think, has to be seriously addressed.

The holding of more frequent, open interactive briefings by the Chairs of the sanctions committee with non-Council members, as well as with the countries under or affected by sanctions regimes, is therefore strongly encouraged.

Still on the topic of the implementation of changes in the sanctions committees, we attach relevance to the process of the selection and preparation of Chairs before they assume their duties. While the Security Council agreed that the appointment of the Chairs of subsidiary bodies should be balanced, transparent, efficient and inclusive, in practice this has not materialized, as elected members have consulted informally and separately, being appointed on too short a notice to allow adequate preparation for this important duty. As such, we are of the view that the Chairs of the subsidiary bodies should be appointed in a timely manner, allowing their prior attendance at meetings of the subsidiary organs concerned.

To conclude, we wish to reiterate our support for the draft note and also hope that it will definitely be used as a tool for improvement in and the better implementation of our work on this issue. The proposals will surely improve cooperation between Council members and the sanctions committees, a relevant political tool of the international community to force States, entities and individuals to respect international law and abide by the Security Council's decisions.

Ambassador Skoog of Sweden refreshed the Council's memory concerning a significant sanctions regime that contributed to the end of a regime that had been regarded by the international community as needing to be changed so as to bring about an improvement in peace and the international order, not just in southern Africa, but in the world at large. In times of great threats and challenges, the Security Council needs more than ever to maintain its clear stance by not allowing political differences or particular interests to undermine sanctions regimes. As such, it must ensure that divisions among Council members do not have a negative impact on the committees' ability to fulfil their mandates.

**Mr. Van Bohemen** (New Zealand): New Zealand welcomes the opportunity today to discuss an important and often overlooked aspect of the Council's work. I thank the Permanent Representative of Sweden and the Deputy Permanent Representative of Chile for their very useful briefings.

There are 25 subsidiary organs of the Security Council; more than half are sanctions committees. Sanctions are one of the few tools we have, short of force, to deal with situations that threaten international peace and security. They can and do have a useful impact, whether that is constraining the flow of arms into a conflict, incentivizing individuals to refrain from activities that jeopardize prospects for peace, or signalling to a belligerent State that its actions will not be tolerated.

In the areas of counter-terrorism and non-proliferation, United Nations sanctions form a central element of the international community's efforts to reduce the capacity of relevant parties to do harm.

The implementation and overall effectiveness of these measures rely on the effective functioning of the sanctions committees. By that I mean timely and informed decision-making, clear strategic direction and flexibility to respond to changing circumstances. It also means transparency through engagement with key stakeholders to understand any unintended consequences of the sanctions measures. While, in our view, there is little evidence to suggest that unintended consequences are prevalent, we need to be prepared to respond to any such consequences in a flexible manner.

For 10 of us around this table, chairing such bodies is part of our Council responsibilities. There are three times as many committees now as when New Zealand was last on the Council, in 1994, but there is no forum to discuss them in any comprehensive way. For that reason, New Zealand has welcomed the initiative of Venezuela in organizing this meeting. In our view, there are several questions we need to ask. Are the frameworks that administer sanctions committees working as effectively as they could be? Are they sufficiently integrated into the Council's wider work? Are we satisfied that their measures are being implemented properly and, if not, what should we do about it? I wish to make three main points.

First, sanctions committees have allowed formal process to get in the way of outcomes. Decisions that, 20 years ago, would have been within a Chair's ambit are now expected to be agreed by all committee members by consensus. As Chair of two sanctions committees, I am prevented from doing the simplest of tasks. I cannot invite someone to a committee meeting, send a letter or do due diligence on allegations of non-compliance without the agreement of all 15 members. Being unable to agree on the simplest of follow-up actions on allegations of non-compliance is, quite frankly, ridiculous. It is absurd that my predecessor, Sir Jim McLay, was told he could not convene an open briefing of the then Al-Qaida Sanctions Committee without the Committee's agreement, even though there was a

Chapter VII resolution requesting him to hold such a briefing.

That prescription of process and the archaic formalism of the committees frustrate efficiency and strangle innovation. It also needlessly takes up valuable time of ambassadors and experts. Process is important, we agree, but we should not allow it to obstruct our primary goal as a Council — maintaining international peace and security. We must remember that sanctions committees operate entirely in informal mode. There are no rules of procedure, no records. They operate under guidelines that have no formal status. Yet somehow we have allowed them to become so constrained by their working methods that they are in effect subject to 15 vetoes. That is nonsense.

Secondly, there needs to be greater coherence between the work of the subsidiary bodies and the related discussions in the Council's broader work. Sanctions are not imposed in isolation but, save for a few formulaic briefings, if we are lucky, we discuss them as if they were. That needs to change. We need to include sanctions in our conversations on country-specific situations. If not, we lose sight of their purpose. Most of the committees have expert bodies that produce excellent reports. Too often, though, those reports are buried in the Committee and the valuable information they contain never reaches the decision makers. We need to find processes that enable those experts to present their information to the wider Council and which will allow for the Chair to provide honest assessments of the effectiveness and continuing purpose of the committees that they chair. Let us be frank: that does require the permanent members to change their approach and to stop trying to vet and censor everything a Chair says or does.

Thirdly, we need to help elected members better prepare for their participation in subsidiary bodies. In my experience, it is the permanent members who participate most actively in sanctions committees, while it is the elected members who are saddled with the administrative tasks and frustrations of chairing them. Elected members do not campaign to be on the Council to simply to make up the numbers. We see two key ways to address the matter. For one, we believe the Council should appoint committee Chairs, including perhaps by spreading the burden to permanent members also, through a transparent process, well before their term commences. That would be fairer and more inclusive and would promote a more positive atmosphere in the Council. The change to the election of new members in July provides an opportunity for this to be done. Early appointment would also allow incoming members to better prepare for their new responsibilities.

We also support convening regular informal meetings for experts who support the committee Chairs, in order to discuss cross-cutting issues and assist with the passing on of expertise to incoming members. That would help address the lack of institutional knowledge for elected members and would afford a smoother transition between Chairs. It would also provide a forum for achieving greater coherence among the subsidiary bodies and promote the use of best practices. Ultimately, as with broader working methods in the Council, such issues are unlikely to be resolved overnight, or via a resolution or presidential statement. Much of the practice of sanctions bodies is unwritten. The main reform that we would like to see is a change to the current culture of formality and exclusivity. That is a simple matter of behaviour, which can and must change.

**Mr. Ciss** (Senegal) (*spoke in French*): Allow, me, first and foremost, to thank you, Sir, for your initiative to convene today's public debate on the working methods of the subsidiary bodies of the Security Council and to congratulate your country on its accession to the presidency of the Council for the month of February. I also warmly congratulate the Permanent Representative of Sweden and the Deputy Permanent Representative of Chile on their high-quality briefings. Addressing such an important issue deserves our utmost attention, as it serves to strengthen the effectiveness and efficiency of the Council.

The 2015 high-level review of sanctions comes 10 years after the Working Group on Sanctions made important contributions to enhancing the effectiveness of the sanctions committees. The key role played by subsidiary organs, in particular the sanctions committee, in implementing Security Council resolutions should lead us to consider the best ways of ensuring that working methods, as well as the appointment of committee Chairs, are more transparent and inclusive, improving the sharing and dissemination of information on their work and strengthening interaction and consensus among countries and subsidiary bodies, on one hand, and between such bodies and the Council, on the other.

My delegation believes that the appointment of the Chairs of subsidiary bodies should be subject to an informal consultation process with all Council

members that is balanced, transparent and inclusive. In that regard, it would be appropriate for appointments to be made at least three months before mandates begin and that, as soon as appointed, for incoming Chairs to attend all meetings of the relevant subsidiary bodies. With regard to outgoing Chairs, they should be encouraged to provide oral and written presentations on the most noteworthy activities of their mandates. Given the often technical nature of the issues addressed by subsidiary bodies, the Secretariat should continue to provide support to appointed Chairs and their respective staff by providing access to the appropriate methodological tools through briefings.

To improve transparency in the work of subsidiary bodies, it is crucial for Chairs to hold briefings followed by exchanges with non-members of the Council, thereby giving States an opportunity to contribute to the work of those bodies. In addition, we might consider implementing regular consultation mechanisms between Chairs of sanctions committees and the penholders of relevant countries.

In the same connection, the committees might be given the opportunity to inform the Council of the content of their reports in an open meeting, taking into account, wherever possible and as needed, the requirements of the principle of confidentiality. Furthermore, affected countries, their neighbours and those directly concerned by sanctions should be involved in the work of the committees by participating in meetings, in particular those where panel of experts reports are presented. Similarly, the translation of these reports into all United Nations official languages is imperative to facilitating their timely use by committee members.

In paragraph 59 of resolution 2253 (2015) of 17 December 2015, on the financing of terrorism, the Security Council requests the Secretary-General to continue to strengthen the capacity of the Office of the Ombudsperson of the Committee pursuant to resolutions 1267 (1999),1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida, and associated individuals, groups, undertakings and entities, in particular by providing resources to allow the Office to fil! translation needs, among others. My delegation believes that we could go beyond this recommendation by institutionalizing the Office of the Ombudsperson to ensure that it is effectively independent with respect to the committees and the Security Council, and by strengthening its ability to take decisions. The manner in which the Ombudsperson, who has the same contract status as members of panels of experts, is appointed hardly reflects the importance of the position's mandate and does not contribute to the independence and legiti nacy on which the effectiveness and even the credibility of the Ombudsperson's actions depend. Similarly, we believe it crucial to bring the mandate of the Ombudsperson into line with that of the Office, in keeping with the conclusions of the high-level review on sanctions of November 2015.

In practice, the Security Council must ensure that sanctions serve international peace and security. Their effectivenss depends on how the Security Council uses them and how effectively they are implemented by Member States, while upholding the purposes and principles of the Charter. Furthermore, review of the implementation of sanctions in concerned countries should be done in a regular, objective and transparent manner. Evaluating the impact of targeted sanctions, with their possible collateral effects on the security and humanitarian situations, as well as the exploitation of and trade in the natural resources of affected countries should be accorded their rightful place in the mandate of the panels of experts. In this regard, it is essential that the panel of experts carry out their mandate with full independence while upholding the sovereignty of concerned States.

In conclusion, my delegation hopes that, beyond our discussion today, the Security Council will continue to deepen its consideration of this matter with a view to improving the methods of work of the subsidiary bodies. Similarly, my delegation supports the draft document proposed by the Venezuelan presidency to improve the working methods and transparency of the sanctions regimes.

**Mr. Rycroft** (United Kingdom): I thank you, Mr. President, for convening this debate. I welcome the comments of the representatives of Sweden and Chile.

As we have heard today, sanctions are a vital part of the Council's arsenal. Together with the other tools at our disposal, they can help to prevent conflict, slow the spread of weapons of mass destruction and constrain the actions of terrorist groups. We have seen them succeed across the world in response to all these threats. In countries like Sierra Leone or Angola, they played a part in establishing the peace and security that endure to this day. In countries like Iran, they helped restrict the development of nuclear weapons, an

important step towards bringing Iran in from the cold. And against groups like Da'esh and Al-Qaeda, they are choking off funding, disrupting activity and sending a clear message that the Council will not stand idly by in the face of their barbarism.

All these examples underscore the fact that sanctions must be a tough measure — a measure that we will not impose lightly or as a first resort. We do not underestimate the unintended consequences that such measures can sometimes bring, but let us recognize that the United Nations has applied lessons from the past and has worked hard to hone our approach, moving away from broad trade embargoes to now target individuals and specific sectors. We know our approach is working. No third-party State has appealed to the United Nations for assistance with the unintended consequences of sanctions since 2003.

However, there is always more to be done to improve the effectiveness of our sanctions work. I note, Mr. President, the proposals you have made in the concept note (S/2016/102, annex). We agree that some improvements are needed to the machinery underpinning United Nations sanctions. This morning we have already heard several good ideas that we support — for instance, on the earlier appointment of new chairs of sanctions committees — and we welcome those constructive contributions to this important debate. There is certainly scope, too, for more openness and transparency in the sanctions committees, while respecting the confidentiality of their work, not least because of the risk of asset flight by those being targeted.

We also need to make sure that any proposals for reform are in keeping with the high-level review of United Nations sanctions. We should not duplicate effort or try to reinvent the wheel. We welcome and should use the work done by Sweden and other sponsors on this issue. Their final compendium shows that sanctions reform must be discussed in the round, including looking again at the United Nations sanctions machinery and how it works with other institutions, and raising awareness of sanctions within and outside the United Nations.

The compendium also found that

> "effectively implemented Security Council sanctions can and do play a critical role in promoting peace and security" (*S/2015/432, p. 11*).

It is those crucial words "effectively implemented" that we must not lose sight of today. Any effort to improve the openness or efficiency of the United Nations sanctions machinery will count for nothing if it does not address how the sanctions are actually being implemented. Sanctions regimes established by the Council under Chapter VII impose legally binding obligations on all Member States, and it is absolutely crucial that all States implement them fully. This is the only way that sanctions can be effective and achieve their objectives. In particular, States that serve on sanctions committees must abide by the provisions set out in resolutions that govern regimes. Only through States faithfully abiding by these will we see proper implementation.

But we do recognize that implementation is often challenging, so we see scope for sharing best practice and learning lessons across all regions and all regimes. One way is by arranging meetings and visits of experts from capitals. This can contribute to the debate by developing networks and identifying capacity gaps. Sharing information on challenges to effective implementation and sharing best practice will help Member States in their own implementation. Assistance on implementation should be made available to those currently unable to comply. In short, we should make sanctions as easy to implement as possible. This includes making it easier for businesses, and we welcome the call in resolution 2253 (2015) to make progress on an enhanced data model for the United Nations Da'esh and Al-Qaeda sanctions list.

Ultimately, to ensure that sanctions remain an effective long-term part of our toolbox, we need to use them in the most appropriate and most effective manner. Our mandate is clear — it comes from Article 41 of our Charter — but to succeed in this effort we need better implementation. With the right information at our disposal, with the right targeting and with the right coordination, I believe sanctions will continue to encourage actors towards peaceful ends, and in doing so they will continue to support the maintenance of international peace and security.

**Mr. Yoshikawa** (Japan): Let me first express my gratitude to the Permanent Representative of Sweden and the Deputy Permanent Representative of Chile for their insightful briefings and very good ideas.

The topic chosen by you, Mr. President, is very timely. The international community now faces serious threats posed by the Democratic People's Republic of Korea. Its fourth nuclear test, conducted on 6 January,

and the ballistic missile launch on 7 February are both clear and flagrant violations of Security Council resolutions and the international non-proliferation regime. Japan reiterates that the most urgent task now for the Council is to expeditiously adopt a new resolution with further significant measures in response to those dangerous and serious violations, as we agreed last Sunday.

The word "sanctions" has a punitive connotation. Moreover, one cannot find that word in the Charter of the United Nations. What we call sanctions are, in fact, non-military measures stipulated in Article 41 of the Charter. They include a "complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations". I wish to emphasize that those measures are not a punishment, nor an objective, rather they are one of the most important tools that the Security Council has at its disposal to find a comprehensive solution to the conflict in question.

The second point I wish to make is on compliance. Article 25 of the Charter stipulates that all Member States are obliged to implement Council decisions irrespective of whether they are involved in the decision-making or not. Last year's report by the Panel of Experts established pursuant to Security Council resolution 1874 (2009) describes that issue very well.

> "The Panel continues to observe Member States' lack of implementation of the Security Council resolutions, noting that inaction and low reporting levels may be due to lack of will, technical capacity and/or issues within their domestic legal systems. The resolutions ... are effective only when implemented." (*S/2015/131, annex, p. 5*)

I totally agree with the Panel's opinion and observations. I would like to remind all Member Governments of the importance of implementing Security Council resolutions by all Member States, in accordance with Article 25 of the Charter.

The third point I want to touch upon is the importance of expert panels. We currently have 11 expert panels with a total of 65 experts. I commend all panel experts for their dedication. The Council relies on those panels for their technical inputs of high value. Therefore, it is indispensable that we select competent experts in order to ensure the quality of services. The independence of panels is also crucial. They are exposed to a lot of political pressure. In order to allow them to perform their duty properly, we must respect the independence and integrity of those technical bodies. In that connection, the annual reports of individual panels should be published without exception. Those publications are also important to ensure transparency.

To further enhance transparency, I am ready to provide non-Council members with briefings after the formal meetings of sanctions committees, as some of my predecessors as chairs of sanctions committees have previously done. In that context, your decision, Mr. President, to conduct this debate in an open format is a very good one, because the wider membership can hear how the Council members view sanctions and the way they are being conducted. It also allows us to listen to the views of non-members.

Before closing, I would like to make a few remarks on the working methods of subsidiary bodies. I was told in early December 2015 to preside over the Committee established pursuant to resolution 1636 (2005) concerning Lebanon and the Committee established pursuant to resolution 2140 (2014) concerning Yemen, as well as the Informal Working Group on Documentation and Other Procedural Questions. One month before assuming the membership of the Council was not enough to carry our the necessary preparation, including observing the meetings of those bodies. Since the election of Security Council members will now be held in June instead of October, I propose that chairs be appointed no fewer than three months before commencing their chairmanship and be able to observe meetings immediately after their appointment. I note that this point was also made by two briefers, as well as the representatives of Angola, New Zealand and the United Kingdom this morning. I am also of the view that the duty and honour of chairing 23 subsidiary bodies of the Security Council should not be monopolized by the 10 elected members. Indeed, that pleasure, duty and honour can also be shared by the permanent five members.

Japan, as chair of the Informal Working Group on Documentation and Other Procedural Questions in 2010, took the lead in compiling presidential note 507. I would like to make a concrete contribution in that area during my chairmanship of that Working Group with the support of all Security Council members.

**Mr. Safronkov** (Russian Federation) (*spoke in Russian*): We would like to thank you, Mr. President, for

convening today's meeting. We note that the delegation of Venezuela is making an important contribution to the work of the Security Council in the area of sanctions. We listened closely to the statements delivered by the representatives of Sweden and Chile.

By definition, the goal of improving the effectiveness of the working methods of the Security Council is important, in particular as it pertains to the Council's responsibilities under the Charter of the United Nations for the maintenance of international peace and security. We are open to proposals to increase the transparency of the activities of the subsidiary bodies, but relevant steps should be carefully balanced so as not to create the opposite effect, which would reduce their flexibility in carrying out their functions.

Given the heavy workload of the sanctions committees, in our view it will be difficult to increase the intensiveness of consultations with interested parties and the frequency of the briefings by chairs, while ensuring the dissemination of relevant information in international media. A heavier workload should not create an obstacle for Committees in carrying out their primary responsibilities, which are to support the work of the sanctions mechanisms.

In light of the specific focus of the sanctions committees, we are not sure that convening open briefings would enhance their effectiveness. That matter will have to be carefully addressed so as to improve the effectiveness and efficiency of sanctions-related activities. We also question the proposals to publish reports and even verbatim records of the Committees' meetings. That would essentially transfer the Committees' work into an open format, which could negatively impact the effectiveness of their work and turn sanctions into a tool for bringing political pressure to bear. We insist that the consequences of sanctions regimes must be carefully analysed as they are being drawn up. It is crucial that we do not ignore the fact that sanctions cannot be a means in and of themselves; they have their own objectives, which are to ensure lasting political solutions.

We think that talk about broadening the Ombudsperson's powers is dangerous. In our view, the mandate of that Office, established by a unanimous vote on resolution 2253 (2015), provides for an optimal level of transparency and fairness, and that any further measures would only end up watering down the Security Council's counter-terrorism sanctions regime. We are prepared to give careful consideration to any constructive ideas for optimizing the activities of the Council's subsidiary bodies, but we reiterate our opposition to the creation of additional bureaucratic layers, whether intergovernmental or at the level of the Secretariat, not to mention the possibility of assigning them the function of reviewing existing Security Council committees. If that happens, it will result in a great many administrative and bureaucratic obstacles and very little effectiveness and efficiency.

Within the United Nations, as an intergovernmental organization, the prerogative of making decisions must rest exclusively with sovereign States. The business of improving the working methods of its subsidiary organs requires a professional approach. The parameters for the functioning of each individual committee are unique and specific to the issues it examines, and therefore we should not attempt to universalize the principles of the work of the sanctions committees. What is useful in some areas could be counter-productive in others.

There can be no doubt that the Security Council would benefit from a degree of democratization of its work, which would produce a more equitable distribution of duties for informal work on its various dossiers through the so-called penholders. Unfortunately, at the moment, some Council members abuse that right, regarding various countries or even regions as their property and themselves as mentors on certain issues. We do not have to look very far to find examples of that. The lines for yesterday's vote on resolution 2265 (2016)), on the Sudan, were drawn up by the United States last week, and led to disagreement in the Council.

We are ready for constructive discussion of ways of increasing the effectiveness of the Security Council's subsidiary bodies. We think it would be helpful to turn to the under-utilized and regrettably half-forgotten mechanism of the Informal Working Group on General Issues of Sanctions. There was a time when the Working Group contributed significantly to increasing the effectiveness of the Security Council's efforts in the area of political and diplomatic settlements of crises around the world, and especially in the maintenance of global security.

**Ms. Pedros** (Spain) (*spoke in Spanish*): Today's debate is indeed relevant, as a large part of the Security Council's efforts is focused on its subsidiary bodies, which account for much of the work done by the

Permanent Representatives of the elected members who chair them, at any rate in Spain's case. As the Council is aware, Spain currently chairs two of them — the Committee established pursuant to resolution 1540 (2004) and the Committee established pursuant to resolution 1718 (2006) — and, until 17 January, we also chaired the Committee established pursuant to resolution 1737 (2006). Any improvement in those bodies is therefore an improvement in the way the Security Council itself functions.

I shall focus today on the three questions posed by the presidency for this debate. However, allow me to reiterate the obvious: each subsidiary body is a world unto itself and the situations they cover are not really comparable. A committee on non-proliferation, such as the 1540 Committee, is not the same as a sanctions body, such as the 1718 Committee. In each of the sanctions committees, every situation requires a case-by-case analysis. However, we should always be guided by respect for the rule of law, and in particular for the purposes and principles of the Charter of the United Nations.

Transparency is an inescapable requirement in the work of the Council and its subsidiary bodies in the twenty-first century. Global society today, marked by progress in the area of democracy, demands a Council that act in a transparent manner. For the Security Council and its bodies to enjoy authority, they must interact properly with the whole host of Member States. That is why we believe that open briefings by the Chairs of the its subsidiary bodies should become the norm, together with the publication of the reports of the panels of experts that support the committees. Interactive public briefings open to all Member States are also helpful, although they should be carefully prepared in order to avoid repeating information from Council briefings. Rather than addressing formal issues, the Committees should strive to ensure that meetings are useful and substantive. Whenever possible, we should make better use of informal meetings on the margins of formal committee meetings — what is known as informal informals. A lot of progress on highly controversial issues can be made in such meetings.

In the era of the Internet, there is no better tool than the web pages of subsidiary bodies. In that regard, we should acknowledge the work being done by the Secretariat. We would particularly like to highlight the 1540 Committee's web page, which is an excellent source of information on this area.

One issue that is much discussed is that of interaction with the affected States. While that is an unavoidable requirement, each case has to be considered individually. Moreover, committees must be able to count on the necessary confidentiality in discussing what are often very difficult and controversial issues.

With regard to preparing future Chairs to assume their functions, there is room for improvement. Starting this year, the new members of the Security Council will be elected in June. It is therefore logical to assume that the new Chairs will also be appointed earlier. But let us be practical. The non-permanent members serve on the Council for two years. As a result, there is not much sense in assuming that the Chairs' transition process will begin six months ahead of time. We think three months is a reasonable period for that transition. As to the training for Chairs, the Spanish delegation received a great deal of support from the Secretariat for several weeks before taking its seat on the Council — indeed, perhaps more than we were really able to absorb. We also had a lot of support from the outgoing Chairs from South Korea, Luxembourg and Australia. We therefore cannot but hope that our experience will serve as a reference for others.

It is clear that sanctions are not an end in themselves. They are imposed when other possibilities have been exhausted, and always with the aim of guaranteeing international peace and security while ensuring that they do not have unintended consequences. We should remember that sanctions are preventive, rather than punitive, in nature. And they are increasingly being used to support Governments and regions that are struggling to establish peaceful transitions. However, some measures are unavoidable in certain circumstances, such as arms embargoes designed to avert an escalation of violence and to save lives. Furthermore, experience has shown that the adoption of coercive measures can be an effective instrument for correcting or modifying specific behaviours. However, to a great extent, their effectiveness depends upon proper implementation by all Member States, and that effect must be assessed as part of a comprehensive strategy that should include all instruments used in a particular context. Nor should we forget that it is those committing the acts that the Council is attempting to prevent through its imposition of sanctions who, in the final analysis, are doing the most harm to the people as a whole. The best way to prevent undesired consequences is to implement the Council's resolutions.

Before I conclude, and speaking practically, I would like to suggest some ways of improving the work of subsidiary bodies. We should, for example, improve the coordination among subsidiary bodies with situations or subject areas in common, such as the excellent collaboration among the 1540 Committee, the Counter-Terrorism Committee and the 1267 Committee. We should also promote coordination among penholders and the relevant subsidiary bodies working on specific situations or topics, especially with regard to sanctions, which are often a fundamental tool in the implementation of measures instituted by the Council in the case of serious threats to international peace and security — as attested to by the Council's own agenda.

**Mr. Bermúdez** (Uruguay) (*spoke in Spanish*): First of all, Mr. President, I would like to congratulate you for the initiative you have taken to convene today's debate on the working methods of the subsidiary organs of the Security Council, in particular its sanctions committees, which we consider to be of great relevance. We also thank you, Sir, for your substantial concept note (S/2016/102, annex). Similarly, we would like to thank Ambassadors Olof Skoog and Carlos Olguín Cigarroa for their respective briefings.

As a member of the Accountability, Coherence and Transparency group, Uruguay sees accountability, coherence and transparency as being of prime importance in improving the working methods of the Security Council, including its subsidiary organs. Uruguay supports the flexible use of methodological tools that promote greater involvement of the United Nations membership, knowledge of the issues seized by the Council and the courses of action it adopts. In this regard, as it concluded its presidency of the Security Council in January, Uruguay proposed using more open discussion formats in Security Council debates on the issues on its agenda and make consultations into real action-oriented exchanges.

Given that all States Members of the United Nations have a fundamental interest in the work of the Security Council as a body that acts on their behalf pursuant to the Charter, Uruguay believes that ongoing dialogue with non-members of the Council is a commitment and a key challenge, because only through transparent and accurate information management will a good relationship be established, leading to the complete and satisfactory fulfilment of the Council's mandate for the benefit of all humankind. From this perspective, Uruguay highlights the importance of sanctions regimes taking steps to achieve greater transparency, coherence and accountability, without violating the privileged or confidential nature of certain documents handled by sanctions committees. Uruguay believes that improving current working methods could have a positive influence on the achievement of desired objectives, thereby improving the effectiveness of sanctions regimes. At the same time, Uruguay believes that when sanctions are imposed, unintended secondary effects should be considered, as increased tensions could hinder dialogue aimed at finding political solutions to conflicts or have other negative impacts on the civilian population.

For Uruguay, it is important that sanctions regimes comply with due process, which supports the proposal to open discussion on the expansion of the mandate of the Ombudsperson to all the sanctions committees. Uruguay also highlights its interest in greater transparency in the allocation of chairmanships of subsidiary bodies and of penholderships. Another aspect that could be improved is the time allowed for different kinds of documents to be distributed for consideration by Council members.

Uruguay fully supports the measures proposed by Venezuela in the concept note with respect to, on the one hand, the importance of having more frequent open interactive briefings and consultations with countries affected by sanctions regimes, greater dissemination of information concerning the activities of sanctions committees in the international media, regular circulation of detailed summary records of sanctions committees' meetings, and greater and clearer dissemination of information concerning the duration of sanctions, including actions to be undertaken by individuals and entities under sanctions in order to have sanctions lifted, and, on the other hand, the preparation of new members of the Security Council for assuming chairmanships of the sanctions committees. I take this opportunity to express the support of Uruguay for the draft note of the presidency of Venezuela on improved working methods.

In conclusion, Uruguay, as a member of the Security Council and as a troop-contributing country, cannot fail to mention the importance of improving the working methods of the Security Council in the maintenance of peace, including of its subsidiary body, the Working Group on Peacekeeping Operations, and its far-reaching impact.

**Mr. Pressman** (United States of America): I would like to begin by thanking the representatives of Chile and Sweden for their statements.

"Oh, there is no doubt." Those are the words of the late Nelson Mandela on the eve of black majority rule in South Africa, describing the role that international sanctions played in ending apartheid. Indeed, there is no doubt that sanctions have also advanced the Security Council's goals on a range of issues, including the prevention of conflict, protection of human rights, protection of civilians, nuclear non-proliferation and even responsible utilization of natural resources. In Western Africa, the timely application of United Nations sanctions, including asset freezes, travel bans, arms embargoes and natural resource trade bans, helped bring peace to Sierra Leone, Liberia and Côte d'Ivoire over a period of almost two decades.

These are flexible tools. In the case of Liberia, the Council imposed measures at the height of violence instigated by Charles Taylor that cost thousands of lives. Then, as a democratic transition occurred, the Council crafted the sanctions anew to target human rights violators and those who continued to threaten the peace, security and stability of the country. Over time, the Council adjusted these measures to accompany and encourage progress and stabilization and support good governance of natural resources. In turn, this spring, the Council is poised to terminate this sanctions regime — a true testament to how far Liberia has come.

Today, the Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities is helping to choke off the sources of funding for the Islamic State in Iraq and the Levant and is working to mitigate the global threat posed by foreign terrorist fighters. The Security Council Committee established pursuant to resolution 1718 (2006) on the Democratic People's Republic of Korea is working to prevent the flow of sensitive nuclear and ballistic missile technology to North Korea, to cut off financial relationships and transactions that the fund the Democratic People's Republic of Korea's prohibited activities and to freeze the assets of those involved in violating sanctions. Targeted sanctions have also helped to address crises in South Sudan and the Central African Republic, marginalizing spoilers and helping address violations of international humanitarian law.

Sanctions can be one of the most effective tools we have to prevent greater violence or change the calculus of countries that violate serious rules of international law, such as those that seek to develop nuclear weapons in violation of the Treaty on the Non-Proliferation of Nuclear Weapons, those that threaten to commit genocide, those that abuse human rights or provide support to terrorists. Most recently, robust enforced United Nations sanctions helped resolve international concerns over Iran's nuclear programme, leading to a historic deal between the five plus one group and Iran — the Joint Comprehensive Plan of Action.

Under this deal, which will ensure that Iran's nuclear programme is and will remain exclusively peaceful, we agreed to lift nuclear-related sanctions on Iran, in exchange for the verified completion of a series of steps to roll back its nuclear programme. As demonstrated in this case, sanctions are not intended to be permanent. Cooperation and dialogue can pave the way for the lifting of sanctions. Sanctions, when imposed judiciously and in concert with comprehensive strategies, can produce diplomatic breakthroughs. We have seen that, including in countries we will hear from today.

Of course, sanctions cannot be and never are an end in and of themselves. They must targeted, deployed with purpose, and grounded with a clear strategy for promoting international peace and security. Sanctions have proven to be a tool that when used properly allows bodies such as this one to advance our shared interests in the protection of human rights, territorial integrity, justice and other values central to the Charter of the United Nations.

I note the representative of the Russian Federation's characterization of the United States role as penholder for the Sudan sanctions regime. Let us be clear. When a member of the Security Council blocks the publication of a Panel of Experts' report, they are not acting in the interest of progress; they are frustrating it. It is the opposite of transparency. Those who frustrate the functioning of our sanctions regimes, whether in South Sudan, Darfur or Yemen, are usually zealously guarding prerogatives other than the values that animate the Charter of the United Nations.

In the light of the contribution of sanctions to the Council's work, I should like to make three brief points about sanctions committees.

First, the sanctions committees should do more to ensure that their work is integrated with other United Nations tools. For example, we support regular meetings to assess the role of sanctions in the Security Council's overall political strategy towards a targeted

country or region. Such discussions should occur on a rolling basis, perhaps joined by relevant Special Representatives of the Secretary-General, to ensure that the sanctions are calibrated to evolving and changing situations on the ground. To better integrate this work, committee chairs and Special Representatives should have regular dialogue to ensure that their work is mutually reinforcing.

Secondly, we agree strongly with our Council colleagues who insist on greater transparency in the work of the committees. Too often, the committees are opaque to the outside world. We need concrete ways to improve transparency, such as through more open briefings, the release of written background materials, more travel by committee chairs to affected regions, and further dialogue between communities and affected States on implementation challenges. In this vein, I would note again that United Nations sanctions expert panels, which report to the committees, play a key role in promoting this transparency. Their analysis and findings help the international community to understand the role of sanctions and how they must be implemented.

When procedural steps are taken to block the normal public release of these reports, our interests and transparency are frustrated. Just yesterday, when we adopted resolution 2265 (2016), on the Sudan Panel of Experts, the resolution had no new elements informed by the compelling data presented by the Panel because the Panel's report had been blocked from publication, ensuring that Member States could not benefit from the Panel's findings and judge its reporting on its merits. We should not create panels of experts and give them a mandate to find facts, only to block their findings from being published when the facts are inconvenient.

My third point is that the United States believes that sanctions committees must significantly improve their ability to respond to wilful violations of Security Council resolutions. This point should not be controversial, given that individuals and entities that facilitate violations are obviously working to thwart the will of the Council. Yet sanctions committees frequently shy away from effective responses to violations. In some cases, sanctions committees have been unable to agree to take any action even when confronted with unambiguous evidence of wrongdoing. Such inaction undermines the international rule of law, not to mention the Council's credibility.

As stated at the outset, we welcome further discussion on how to enhance the work of sanctions committees. We particularly welcome any opportunity for the Council and its subsidiary bodies to elevate attention to sanctions and eliminate excuses for non-compliance.

**Mrs. Adnin** (Malaysia): I join earlier speakers in thanking you, Sir, for convening this debate, which we consider to be pertinent and timely. We also thank you for your helpful concept note (S/2016/102, annex), which provides a useful guide for our discussion today.

We are also pleased to have Ambassador Carlos Olguín Cigarroa of Chile and Ambassador Olof Skoog of Sweden joining us today. We listened to their respective briefings very carefully and with much interest. They have certainly brought much insight to the topic at hand.

We also appreciate the presidency's reaching out to States affected by sanctions for the purposes of today's debate. In this connection, we welcome the participation of the delegations of the Central African Republic, Côte D'Ivoire, Eritrea, Iran, Libya and the Sudan. We believe that their participation could offer a broader perspective to the discussion.

Malaysia takes this opportunity to reaffirm the long-standing position of the Non-Aligned Movement that the application of sanctions by the United Nations, as authorized by the Security Council, must be fully in accordance with the provisions stipulated in the Charter and only as a measure of last resort.

Given the fact that the bulk of the Council's subsidiary bodies are sanctions committees that undertake important functions — including implementation, implementation monitoring and the assessment of the various sanctions regimes — we support the presidency's focus on this theme with the aim of making the work of such committees more streamlined, coordinated and effective. Since much ground has been covered by earlier speakers, I wish to focus my intervention on Malaysia's experiences as Chair of two subsidiary bodies — the Working Group on Children and Armed Conflict and the Committee established pursuant to resolution 1970 (2011) concerning Libya — in order to contribute to the discussion.

At the outset, Malaysia wishes to acknowledge and express appreciation to the preceding Chairs of the

Working Group on Children and Armed Conflict. They have built a solid foundation for the promotion and protection of the children and armed conflict agenda in the Council, which has allowed us, as the current Chair of the Working Group, to continue emphasizing the centrality of that agenda as a key component of the larger protection of civilians agenda in the Council.

Malaysia assumed the chairmanship of the Working Group on Children and Armed Conflict with keen interest in ensuring the buy-in and co-ownership of concerned countries. To that end, we sought to introduce certain innovations, such as reflecting the views of the concerned States in their entirety in the Working Group's conclusions or outcome reports. We firmly believe that such measures contribute to the overall outcome, whereby interested partners are afforded easy access to the views of all concerned parties on any given situation. We are grateful that the introduction of these measures has been supported and accepted by all Council members.

Another aspect of innovation in the work of the Working Group on Children and Armed Conflict relates to better coordination and cooperation between the Working Group and the sanctions committees. Given the cross-cutting themes addressed by the Working Group and the sanctions committees, in 2015 we worked with Lithuania to hold joint meetings between the Working Group and the Committees established pursuant to resolution 2140 (2014) and resolution 2127 (2013). We believe that such joint meetings provide a wider perspective to the members of the Working Group and the sanctions committees alike, which is an important exercise, particularly when assessment has to be made of the effectiveness of the sanctions regime, including possible unintended consequences, especially for children but also, more generally, for civilians in conflict situations.

With regard to our work as Chair of the 1970 (2011) Committee, we share many of the views expressed by earlier speakers concerning their role as chairs of sanctions committees. That said, we would emphasize the role of the chair in undertaking outreach activities, including the dissemination of information on the work of the sanctions committees to as wide an audience as possible. Better understanding of the work of the committees could support better and more effective implementation. On this note, we also see scope for better coordination among the chairs of the subsidiary organs of the Council, especially those with related themes or geographical scope.

With respect to the transparency and inclusivity of the work of the Council's subsidiary bodies, we share the view that such principles must apply from the very start of the process, including on the appointment and selection process. This year presents an excellent opportunity to revisit these and other procedural aspects of the selection and appointment issue, given that the General Assembly will be electing non-permanent members of the Security Council in June. The lead time afforded to delegations elected to the Council should also be used to adequately prepare them for their eventual role as chairs of the various subsidiary bodies. In this regard, Malaysia supports the proposal for consultations on chairs to start as soon as possible in order to allow time for sufficient preparation, with the full involvement of the newly elected members and taking into account their views and preferences, if any. Improving the transparency of the selection and appointment process for chairs of subsidiary bodies would greatly enhance the legitimacy of the process, particularly in the eyes of the elected members.

On transparency in general, Malaysia welcomes the proposals calling for more open briefings to wider membership on the work of sanctions committees. Nevertheless, we are equally mindful of the fine balance between transparency and confidentiality.

In conclusion, we wish to express our appreciation to the presidency for initiating the draft note on the working methods of the subsidiary organs. We look forward to engaging constructively with other Council members on it. We support proposals concerning burden-sharing among all Council members on chairing the subsidiary bodies. Additionally, we are also open to consider reviving the 2000-2006 Informal Working Group on General Issues of Sanctions, to review and improve the effectiveness of sanctions committees.

**Mr. Vitrenko** (Ukraine): Reforming the working methods of the Security Council, especially those of its subsidiary bodies, warrants our particular attention. That process should be expedited. As one of the main initiators of the Informal Working group on General Issues of Sanctions in 2000, during our previous membership in the Council, Ukraine welcomes your initiative, Sir, to convene this thematic debate aimed at lending new dynamism to our consideration of this important matter. I would also like to thank

today's briefers for their valuable insights, as well as to welcome the results of high-level review of United Nations sanctions. We believe that the following steps should be taken in order to make the Security Council subsidiary bodies more effective and efficient.

First, the process of the selection of the Chairs of the subsidiary bodies requires our attention. The way it is conducted presently can hardly be called balanced, transparent, efficient or inclusive. Therefore, the Security Council should stick closer to the formula agreed upon in the presidential note S/2012/937, which provides for an informal process with the participation of all Council members. We look forward to a proper review of that process.

Secondly, it goes without saying that the problem is not in the vehicle but in the driver. Preparing incoming Chairs to steer the subsidiary bodies therefore has a direct impact on the committees' effective functioning. Efficient chairmanship requires considerable amounts of time and efforts from respective delegations. In that respect, we support the idea, mentioned earlier today by a number of delegations, of appointing the Chairs of the subsidiary bodies as soon as possible after their elections to Council, but no earlier than three months before commencing the chairmanship. We commend the Secretariat for its efforts to provide the newly appointed Chairs and their experts with relevant training and expertise. We call for the enhancement of that practice. That brings me to the issue of cooperation between outgoing and incoming Chairs. We encourage outgoing Chairs to provide extensive written and oral briefings to incoming Chairs that highlight the current challenges before them, as well as to share their insights into the lessons learned. In our case, we encourage such cooperation and are grateful to our predecessors, in particular Lithuania.

Thirdly, the subsidiary bodies of the Security Council do not work in a vacuum. In order to be effective, they require mutual dialogue and cooperation, including among Chairs, in steering subsidiary bodies with similar themes and geographical scope, as well as with other United Nations bodies. Regular meetings to discuss common concerns and best practices as part of their coordinated efforts have proved to be productive. The recent joint meeting of the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) and the Counter-terrorism Committee is a good example in that respect. Of equal importance is the maintenance of close interaction between the Chair taking the lead on thematic issues or country-specific situations, in particular penholders, in order to produce coherent Council outcomes.

Increasing openness and transparency in the subsidiary bodies of the Security Council should be at the top of our agenda. In order to ensure that the broader United Nations membership has a better understanding of the work carried out by the subsidiary bodies, the Security Council could consider holding briefings by the Chairs of those bodies, as a rule and in an open format, and to encourage them to interact with non-Council members on a regular basis so as to receive their valuable input. That would also serve the purpose of avoiding any misunderstandings and promoting the proper implementation of the United Nations sanctions and respect for them. For that reason, we also support the participation of the concerned non-Council Member States in meetings of the subsidiary organs, inter alia, during the consideration of the relevant country or thematic reports. That would definitely be effective in terms of saving time and resources, while also ensuring that the outcome documents include up-to-date and accurate data and that the interests of those States are duly taken into account.

Great things usually start small. In that regard, we consider today's debate to be an important element of the ongoing process of the reform of the Security Council's working methods. The ideas expressed today by Council members and interested delegations will inform Ukraine's chairmanship this year in the Committees established pursuant to resolutions 1521 (2003) and 2127 (2013).

**Mr. Aboulatta** (Egypt) (*spoke in Arabic*): At the outset, I would like to thank the Venezuelan presidency of the Security Council for the current month for having proposed this issue as the subject of a meeting of the Security Council. We would also like to thank the representatives of Sweden and Chile for having contributed to our debate today.

The sanctions regime provided for in the Charter of the United Nations is one of the most important tools at the disposal of the Organization, and in particular of the Security Council, in order to achieve the clearly established purposes and principles, which often concern the maintenance of international peace and security. Given the fact that imposing sanctions on States or regimes is not an end in and of itself, we reiterate our rejection of open-ended sanctions.

Sanctions should be lifted as soon as the causes that led to their imposition no ionger exist. The role of the subsidiary bodies of the Security Council and that of the sanctions committees in particular, is extremely sensitive and important. Those bodies provide follow-up for the implementation of the sanctions regimes, ensure the oversight for their implementation, provide recommendations and make the appropriate decisions that should lead to measures and practical action on the ground. Each one, according to its area of expertise, is in constant contact with the Security Council and the Statesm Members of the United Nations. It is therefore important that we ensure that the working methods of subsidiary bodies and committees are appropriate and expedient in ensuring the desired effectiveness of those same bodies and committees and in strengthening their credibility, which in turn strengthens the credibility of the Security Council in the eyes of Member States.

Given that circumstances sometimes change, it is important that the working methods be subject to periodic review and updating to ensure that subsidiary bodies and the relevant committees are able to successfully carry out their functions with effectiveness and transparency. The bulk of the Security Council's work is at the level of subsidiary bodies. We agree that there should be increased transparency in the working methods of subsidiary bodies, including the sanctions committees, by, inter alia, increasing the number of public briefings presented by the Chairs. There is a need to increase consultations with the States concerned. Non-Council members must receive periodic summaries about the meetings held by the subsidiary bodies and committees. There is therefore a need to continue to translate sanctions lists into all official United Nations languages and to update the information published on those bodies' and committees' websites. Egypt is in agreement with respect to the content of the draft presidential concept note (S/2016/102, annex) distributed by the Venezuelan delegation on the items relating to the selection and training of new members of the Security Council that are called upon to chair one of the sanctions bodies or committees, particularly given that there exist divergences and differences in methods of work from one committee to another, sometimes even an absence of clarity.

Regarding improving communication and cooperation among the subsidiary bodies of the Security Council, including communication between those bodies and the Security Council, my delegation supports the content of the draft presidential note encouraging the Chairs of subsidiary bodies on similar issues to hold periodic meetings to discuss issues of common interest as well as good practices, so as to make headway in common cooperation. An example of this is the joint meeting held recently between the Counter-Terrorism Committee and the sanctions committee on the Islamic State in Iraq and the Levant and Al-Qaida, on the financing of terrorism.

There is a need to forge a common vision for coordination among the Chairs of the sanctions committees and penholder delegations. A study should be conducted so as to draw a distinction between the task of elaborating draft resolutions and that of managing unofficial consultations on resolutions seeking to extend sanctions. The President of the Security Council should convene those types of consultations and manage related discussions. That is why the success of sanctions committees depends largely on constructive cooperation between national authorities of the States concerned, regional parties and neighbouring countries.

That is why Egypt reiterates the importance of ongoing dialogue and constructive cooperation with such parties, in particular during periodic joint meetings and visits on the ground, given that sanctions are not coercive measures but rather ones seeking to support stability and combat spoilers. Sanctions committees would benefit from hearing from a broad spectrum of players, be it at the United Nations, in peacekeeping operations or from the Special Representatives of the Secretary-General on Sexual Violence in Conflict and for Children and Armed Conflict, as well as advisory working groups such as the Working Group on Children in Armed Conflict.

We might also add that sanctions committees would benefit from hearing from parties external to the United Nations, such as national experts from civil society, in line with the appropriate mechanisms agreed upon with the Chairs of sanctions committees. Proposals to modernize the working methods of the subsidiary bodies of the Security Council are the subject of a great deal of research and high-quality studies, but what is most important is the political will to take them into consideration and the belief that updating their working methods would give them added value. We hope that the presidential note will be taken into account, as it includes recommendations that are very important to Egypt.

**The President** (*spoke in Spanish*): I shall now make a statement in my national capacity as representative of the Bolivarian Republic of Venezuela.

At the outset, I should like to express my gratitude to the Permanent Representative of Sweden, Mr. Olof Skoog, and to the Deputy Permanent Representative of Chile, my dear friend Carlos Olguín Cigarroa, for their respective briefings. I should like also to thank all members of the Council for their statements, which have made a very important contribution to the discussion on this issue.

I would also note the presence here today, under rule 37, of the countries concerned by the various sanctions committees. I have to say that only a few countries are part of the problem involving certain members of the Council bringing pressure to bear on others, and we deem it very important to hear some of the experiences of sanctions committees and the views of the countries concerned.

When we speak of transparency, we believe that meetings such as this are very important. I think that this is the first time that we will all be hearing the views of the countries affected by sanctions. We deem it very important that the rest of the diplomatic community at the United Nations hear from such countries, as it will be possible for them to publicly air their views on the sanctions, and to hear the national position of each member of the Security Council on the very important issue of sanctions committees.

Our intention here is, of course, constructive, and our objective relates primarily to sanctions committees on specific countries, not committees on terrorism or other committees whose work is of a completely different nature. We are speaking of committees that involve entire countries and peoples.

In this respect, the Charter of the United Nations indeed stipulates that certain actions may be taken before any military action to avert threats to international peace and security; it does not mention sanctions, as Ambassador Yoshikawa said, only a set of measures as set out in Article 41.

Venezuela, as a country that respects the norms of international law and the Charter of the United Nations, therefore embraces the provisions of Article 41. We should recall that the sanctions imposed by the Security Council on the Government of South Africa played a very important role, together with the struggle waged by the people of South Africa and the wars of liberation on the continent that led to the defeat and end of the apartheid regime, which was a source of shame to humankind.

We should also emphasize that while Article 41 establishes the Security Council as the guarantor of international peace and security, my country rejects as illegitimate and contrary to international law any unilateral sanctions imposed by certain countries on others to achieve political solutions or punish regimes that they deem inconvenient.

The fact that the sanctions imposed by the United Nations are legal does not, of course, mean that they are perfect. We are all aware of the fact that sanctions regimes can have unintended consequences and that in certain cases they have led to greater destabilization and suffering, the very thing they supposedly had sought to alleviate. Let me give two concrete examples.

During the 1990s, Iraq was subject to the most extensive sanctions regime in the history of the United Nations. Iraq depended on oil exports for its revenues and for practically all other needs of its society, and sanctions blocked all of those exports. The human cost of the sanctions imposed on Iraq between 1991 and 1998 involved more than 1 million people in that country.

Something similar occurred in Latin America and the Caribbean. In 1994, the Security Council imposed an economic embargo on Haiti; those sanctions destroyed the country's already weak economy and its social structure. Long before the terrible earthquake of 2010, sanctions imposed by the United Nations had already severely jeopardized the future of the Haitian people for generations to come. However, those two examples have enabled the Security Council to change its approach to sanctions, shifting from comprehensive to targeted sanctions and from countries to individuals and entities, seeking to reduce the negative impact of sanctions on the populations of the affected countries.

However, sanctions regimes, in particular managed and sectoral regimes, still have unintended consequences, including an adverse humanitarian impact on civilians, high economic costs for neighbouring countries and the criminalization of economic activities. One issue that we believe remains unresolved is that of the discretionary imposition of sanctions. What countries should be subject to sanctions and how is it decided? There are sanctions that may prevent threats to the national sovereignty of some countries and there are

others that threaten global security but are not subject to sanctions because they are supported by the veto in the Security Council.

Some issues require sanctions. There is much that can be done to ensure that sanctions regimes work and are more in line with the provisions of Article 48. In our view, the criteria for efficacy in sanctions committees should be clearly defined. What is it that makes a sanctions committee effective or not? It should indisputably be linked to political objectives. Sanctions cannot be imposed permanently on countries. They should have an objective that has been agreed in the highest political organ of the Organization — the Security Council.

There are other issues of concern to us, such as sanctions imposed on natural resource management. We maintain that this violates the sovereignty of States and their right to manage their own resources, in accordance with the General Assembly resolutions, as mentioned yesterday, and in particular resolution 1803 (XVII) on the inalienable right of countries to manage their own resources. We maintain that for most developing countries, one of their only sources of income is natural resources; restricting countries in the management of their own resources will therefore serve only to exacerbate the economic and humanitarian situation in the countries concerned.

Another issue of concern to us is the lack of due process with regard to imposing sanctions on countries and individuals. Although we acknowledge that the Security Council has acted to address the issue of due process, in particular as related to the Al-Qaida sanctions regime, with the introduction of the post of Ombudsperson, we believe that such a post should be evaluated and extended to all committees, as we propose in our concept note (S/2016/102,annex). The guarantee of due process in sanctions committees does not currently reach the minimum legal threshold established in national or international legislation. It is similar to an inquisitorial court. There is no way to determine how a person or entity may end up subject to a sanctions regime, other than through information provided by or a proposal from one of the penholders to the various committees. By way of example, more than 50 per cent of sanctions appeals in courts in the European Union have had successful outcomes. In other words, this issue must be addressed with transparency, in the absence of clear and just procedures to determine the persons or entities subject to sanctions regimes.

In addition, we must carefully study and resolve the issue of the duration of sanctions regimes. Many are established without clear steps or criteria to be met by the sanctioned countries in order for sanctions to be lifted. No one knows. A country is sanctioned but has no idea how sanctions can be lifted. Very often, the reasons for establishing a sanctions committee vanish but are then promptly replaced by a completely different set of reasons. This clearly demonstrates that very often sanctions imposed by the Security Council, under pressure from some of its permanent members, are merely a way to punish some countries and not others. That is why some sanctions regimes have been in place for such a long time with no clarity about why they have been extended. The oldest committees are those concerning Iraq, which has lasted 26 years, and Somalia and Liberia, each lasting 24 years.

Of the 16 sanctions committees, 62.5 per cent concern African countries. The Security Council takes an unusual interest in imposing sanctions on Africa. Nine of the committees have been in place for more than 10 years. The average life of committees that have ended in recent years was 11 years. There are at least five committees that no longer exist, which demonstrates the challenge of ending sanctions regimes once established and the prevailing injustice that often prevents sanctions from being lifted. That is why clear and comprehensible procedures and criteria for the lifting of sanctions should be communicated openly to affected States. That is imperative because it is not uncommon for some countries to exploit the ambiguous wording of texts drafted 10 or 15 years ago in an effort to continue punishing countries that are an inconvenience to them.

With regard to chairs of sanctions committees, we maintain that they should be appointed through a transparent, balanced, inclusive and timely process in which all members of the Security Council, and not just the permanent five, take part, as is currently the case. As soon as they are appointed, they can begin the process of thoroughly preparing and standardizing working methods.

With regard to committee functions, as the Ambassador of New Zealand noted, it seems that committee chairs are simply spokespersons for members, conveying information provided by the panels of experts. At times, we have thought that this position was given to elected members because chairs of sanctions committees are politically innocuous. We

believe that it is important for elected members to chair committees because they have no conflicts of interest. In other words, it does not make sense for a member of the permanent five to be a penholder or a committee chair when there is an obvious conflict of interest, since they have appointed themselves and have not vetoed their own membership of sanctions committees in an effort to impose sanctions on a specific country.

However, we believe that committee chairs should exploit their position to share their own opinions, thoughts and recommendations. Each report prepared by chairs for the Security Council is extensively revised by the panels of experts and the representatives of various countries. When we wish to have a political discussion in the Security Council, we find ourselves seated behind the same ambassadors and experts who impose their own criteria on sanctions committees. This lack of flexibility does not allow a member country holding the chairmanship or its ambassador to be innovative or make a contribution that would assist in meeting the objectives of the sanctions committees. In that regard, we believe that the chairs of the sanctions committees should at the very least be able to express their views about the functioning of the committees and how they can adjust to political situations that are often fluid, as is the case in the Horn of Africa and in Libya in North Africa. These are evolving situations and committees need to adapt on the basis of discussions held in the Security Council concerning the need to lift or reduce sanctions or to take any decision against a given country.

With regard to the panels of experts, we believe that the experts are technically capable and skilled individuals, whom we thank for their work, which they frequently undertake in truly adverse circumstances. We call on the panels of experts to be truly independent in their assessments. That can sometimes prove difficult, but no panel should demonstate political prejudice towards the country to which they are assigned. The information gathered by panels of experts is noted by the national capitals of neighbouring countries, which have an interest in whether sanctions are maintained against a particular country. The panels' reports sometimes contain information that may be difficult to source or verify. Such information may be reported by civil society or non-governmental organizations and there is no way to verify it.

The work of the panels of experts is very important, and along with their reports serve as the bases for the sanctions committees discussions. The panels often engage in their own interpretation of the provisions and mandate of the relevant resolution, and it can be very difficult to change such assessments. Ultimately, the panels of experts play a lead role in sanctions committees, and may even have powers that carry more political weight than those of the chair.

We believe that the sanctions committees need to be more accountable. It should be an open mechanism; we do not wish to see more bureaucracy. Those who are responsible for the respective sanctions committees need to be accountable to the Security Council for their work; they must respect the committees' political objectives and be able to express their views concerning the lifting or modification of sanctions and the committee's goals. The work of the sanctions committees should not be compartmentalized, given the fact that many regional conflicts must be seen, in a cross-cutting manner, to have problems similar to those in countries of the same region.

We have made a number of recommendations and look forward to receiving the support of all members for a draft document reflecting the important contributions expressed here today. We feel very strongly that the work of the sanctions committees must reflect more accurately the provisions of the Charter of the United Nations. Sanctions should not be punitive, but an instrument to address and prevent threats to international peace and security.

I now resume my functions as President of the Security Council.

I give the floor to the representative of the Islamic Republic of Iran.

**Mr. Khoshroo** (Islamic Republic of Iran): First and foremost, I would like to thank Venezuela for its initiative in organizing this debate and presenting the concept paper (S/2016/102, annex), which we found extremely useful. I thank the Ambassadors of Sweden and Chile for sharing their insightful inputs. My delegation is grateful for the opportunity to be able to participate in this debate.

As a general comment, we believe that any Security Council-imposed sanction should fall within the purview of the Charter of the United Nations at all times. This means that, first, sanctions should not be imposed unless there exists a genuine threat to international peace and security — not a perceived or fabricated one — or in the case of an act of aggression.

Secondly, sanctions are not meant to punish the general population or aimed at achieving political objectives. Thirdly, sanctions should be considered as the last and not the first resort, and imposed only after all means of peaceful settlement of disputes under Chapter VI of the Charter have been exhausted. Fourthly, the imposition of sanctions should be decided only after a thorough consideration of their short-term and long-term effects on rights recognized under international law. In this regard, the objectives of sanction regimes should be clearly defined and based on tenable legal grounds, and their imposition should be for a specified time frame and lifted as soon as the objectives are achieved. Transparency, strategic insight and the need to deal with the humanitarian impacts of the sanctions are also important elements that the Council and its subsidiaries organs should have in mind when they consider sanctions.

First, it is important to enhance the transparency of the working methods of the Council and its subsidiary bodies, especially when they consider or deal with sanctions. Transparency, openness and consistency are key elements that the Security Council should observe in all its activities, approaches and procedures, especially when they affect the lives of ordinary people by imposing sanctions. In this regard, the working methods of the sanction committees are one of the areas where the Council needs to improve transparency.

Secondly, the terms and conditions that the State or entity subject to sanctions should fulfil must be clearly defined and subject to periodic review. We agree that we should place emphasis on the need to support the chairs of the sanction committees in their efforts to assess and evaluate on a regular basis the role of sanctions and the dire need to place Council-imposed sanctions in the framework of an overall political strategy.

Thirdly, one of the most important and, at the same time, most neglected aspect of a sanctions regime is how to deal with its unintended impacts. I would like here to concentrate on this aspect through the following observations.

First, sanctions always have a negative impact on the rights of nations recognized in the Charter of the United Nations, as well as in the International Covenant on Economic, Social and Cultural Rights, in particular the realization of the right to development. They often interfere with the functioning of basic health and education systems and undermine the right to work; in general, they are serious obstacles to the development of targeted States.

Secondly, sanctions are a blunt instrument, the use of which raises fundamental ethical questions of whether the suffering inflicted on vulnerable groups in the target country is a legitimate means of exerting pressure. The utmost care should be taken by sanctions committees to protect against the victimization of innocent civilians. Sanctions committees must be vigilant of the negative humanitarian impact on the civilian population, the economic effects on third parties and the criminalization of basic economic activities that may occur under sanctions regimes.

Thirdly, it is equally important that the sanctions committees monitor and scrutinize the imposition of unilateral coercive economic measures to determine if they are in conflict with the principles of the Charter of the United Nations and the international law.

We fully agree with the recommendation in concept note to include in the mandate of the expert groups of sanctions committees a review of the impact of selective or sectoral sanctions on affected countries, civilian populations and the activities of the humanitarian actors on the ground, as well as the proposal to request that the Secretary-General establish a reporting line to that end.

**The President** (*spoke in Spanish*): I now give the floor to the representative of Libya.

**Mr. Dabbashi** (Libya) (*spoke in Arabic*): I would like to congratulate you, Mr. President, and your delegation on your assumption of the presidency of the Security Council for this month. I also wish to thank you, Sir, for organizing this important meeting on the working methods of the subsidiary bodies of the Security Council, in particular the sanctions committees.

Sanctions regimes are among the means established in the Charter of the United Nations to safeguard international peace and security. Undoubtedly, sanctions can contribute to the maintenance of international peace and security, if used appropriately and focused solely on the objectives for which they are imposed and if the do not lead to collateral damage to the population of the country concerned or to other countries.

Today I will not talk about the general framework of sanctions or the working methods of the various sanctions committees. Much has been, and will be said, by my colleagues and by the members of the Council. The

concept note circulated by the presidency (S/2015/102, annex) addresses all of our concerns, and we support the recommendations contained therein. Instead, I will focus on Libya's experience with sanctions and with the Committee established pursuant to resolution 1970 (2011), concerning Libya.

The objective of the sanctions imposed on Libya differs from that of the sanctions imposed by the Security Council on other States. The Libya sanctions are not imposed against the legitimate Government. They were imposed under circumstances that differ from those of the country's current situation. They are still in effect and are aimed at helping the Government avoid a de-stabilization of the situation and a worsening of the problems, as well as to safeguard the wealth of the Libyan people and restore their plundered assets.

Sanctions on Libya are imposed under numerous Security Council resolutions, namely, resolutions 1970 (2011), 1973 (2011), 2009 (2011), 2095 (2013), 2146 (2014), 2147 (2014) and 2213 (2015). The sanctions are limited to four areas, namely, an arms embargo, travel bans, the freezing of assets and proscribing illegitimate trafficking in oil and fuel. All those sanctions were needed to control specific situations inside the country in the absence of a strong central Government. Libya has no objection to them. Regretfully, however, many problems have occurred in their implementation.

We cannot accept sanctions being used to prevent the legitimate Government from extending its full authority over the entire Libyan territory, even if that is an unintended consequence. Nor can we accept their being imposed in a manner that serves to promote radicalism and terrorism. Sanctions should also not lead to the Libyan people's loss of billions of dollars. We indeed need an arms embargo against the armed factions but we cannot prevent the army and the police from obtaining weapons. The Sanctions Committee should therefore have engaged seriously and transparently in consultations with the legitimate Government of Libya to agree to a mechanism for facilitating the acquisition of weapons by the Libyan army while also prevening access to them by the radical militias that are fighting the Government and destroying public and private property.

Unfortunately, that did not happen. The flow of weapons from well-known States to militias — including Da'esh, Ansar Al-Sharia and Al-Qaida elements — continued. Those weapons helped those groups to occupy a number of Libyan cities, which our Government has been unable to fully retake. We hope that the Security Council has learned the lesson and that the Sanctions Committee will facilitate the acquisition of weapons by the anticipated Governmnet of national reconciliation upon taking office, without putting forward pretexts to prevent the army from acquiring weapons to fight terrorism and radicalism.

The freezing of assets is another form of sanctions imposed on Libya. There are two kinds: first, an assets freeze against the Al-Qadhafi family and officials of his regime and, secondly, an assets freeze against Libyan financial institutions and their African portfolios. Despite the clear provisions in Security Council resolutions concering freezing the assets of certain individuals and supporting the Libyan Government's recovery of plundered funds, we have not received a single notification from any State concerning compliance with the resolutions or the freezing of the assets of the persons referred to in those resolutions.

We have also not received any information from the Panel of Experts that could be useful in helping our authorities to track and recover funds. It is noteworthy that the Panel's reports lack certain important names and information. Those reports have therefore become dead letters and of no use to us. Simply put, States are not implementing the Council's resolutions on the freezing of assets, while the Panel of Experts is also not providing us any information in that regard. In addition, the Security Council is not taking sufficient steps to follow up on its resolutions. Of what use is the Panel of Experts if it does not give Libya any information, and if most of the information it does have is available to the public through the media?

With regard to the assets freeze against the Libyan Investment Authority, despite its importance, the lack of adjustment to the freeze to enable the Authority's governing body to manage its funds profitably has led to losses for the Libyan State amounting to billions of dollars in interest and service charges that we have been unable to collect. We hope that the Security Council will rectify the situation as soon as possible so that Libya does not sustain further unintended losses.

Libya's experience with the Sanctions Committee indicates that there is a need to differentiate between the sanctions imposed on Governments as a punishment aimed at changing their behaviour and those used to spare States worse consequences. My country's

relationship with its Sanctions Committee should be one of cooperation, coordination and constant exchange of information within a framework of full transparency.

In that context, we find it strange that Libya's delegation is treated like any other Mission to the United Nations, with the information collected by the Panel of Experts withheld from it. It is ludicrous that the Panel's report to be issued as a final document by the Security Council and made available to all Member States and the media is not transmitted to the Libyan delegation in advance. The Committee makes it available to us only in its offices and only a few days before official publication, and after discussing it in the Committee with no annexes, as if it were a dangerous classified document. As a matter of fact, it contains no confidential information at all, and classified information that would actually be useful to the Libyan Government is not included — and not just confidential information, but even data available through other documents and on social media are not referred to at all in case they might be intended to serve illegitimate interests. Tha all leads us to question the usefulness and benefit of the Panel of Experts.

Regrettably, this is not a moment to cite examples, because this issue has been overtaken by events. In Libya we are awaiting the formation of a Government of national reconciliation. We hope the Security Council will treat it differently once it is in office and that it will be able to lead the country to a stage where there will be no need for sanctions.

In the case of Libya, assets freezes and arms embargoes cannot be effective if our delegation and the Sanctions Committee are not sharing information, and right now that is not happening. My delegation was surprised that a number of exemptions were made without informing us, which could lead to undesired exemptions or circumventions of correct procedure. We hope that in the future the Sanctions Committee will share with our delegation all the exemption requests that reach it, as well as any steps that are taken as a result.

In conclusion, I would like to emphasize that transparency, cooperation, coordination and information-sharing between sanctions committees and the States concerned are the pillars that make the sanctions machinery positive and effective.

**The President** (*spoke in Spanish*): I now give the floor to the representative of the Sudan.

**Mr. Mohamed** (Sudan) (*spoke in Arabic*): I would first like to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month and to thank you for the informative concept note (S/2016/102, annex) you have circulated to inform our discussion on the working methods of the Security Council's subsidiary bodies. I would also like to thank the delegations of Sweden and Chile and their Permanent Representatives for their contribution to today's deliberations on a very important subject.

There can be no question of the importance of listening to the points of view of non-members of the Council in such public debates, especially those countries that are suffering from conflict or have emerged from conflict into a reconstruction phase, and that are dealing with the imposition of sanctions regimes in accordance with Security Council resolutions. The Sudan is one of those States. Sanctions have been imposed on part of our territory through the Committee established pursuant to resolution 1591 (2005), which was set up 10 years ago and which you chair, Mr. President. In the 10 years since the establishment of the Informal Working Group on General Issues of Sanctions, practice has shown that the working methods of the Committee and its Panel of Experts should be looked at and studied in depth, as we are trying to do today.

Among the most important aspects that we should focus on and review are the issues of transparency and impartiality in the sanctions committees' working methods. Based on our practical experience with the 1591 Committee, we have come to believe firmly that in most cases the basic problem is a lack of transparency on the part of the Panel of Experts in gathering and analysing information. That leads to mistakes on the part of the Committee and affects its ability to evaluate the reality of the situation objectively and fairly. In most cases, the Panel's reports to the Committee are based on sources that are either affiliated with the insurgents, and therefore biased, or simply unknown or with clear, specific agendas. That is why we reiterate how crucial it is to ensure that the Panel of Experts maintains transparency and impartiality in its gathering and presentation of information, and that interactive dialogues continue to be held with the Governments of the countries concerned on any subject before information is included in a report to a sanctions committee.

We also want to see regular reviews of the importance and effectiveness of the role played by the

panels of experts in promoting the political process and achieving stability in the countries concerned. By their very nature, there is a danger inherent in the Security Council's sanctions regimes whereby they can become supervisory, and Member States have a special responsibility to see that the Council's mechanisms are not exploited in order to achieve private political agendas. While that may seem somewhat unnecessary, we should not forget that the United Nations was created for the purpose of achieving collective security, and that the members of the Security Council represent every State Member of the Organization, not just their own Governments.

Recourse to sanctions as one of the methods available to the Security Council in certain cases pursuant to the Charter of the United Nations should not be the norm. First and foremost, the Council should focus its efforts on stepping up the role of sanctions committees in strengthening and building peace. The Council must be strict with those who reject peace and must resist the temptation to impose sanctions against economic entities or institutional sectors such as, in some countries, the management of natural resources, as that has a direct impact on the economy of a country that is tantamount to sanctioning people and depriving them of their sovereign rights. We emphasized this point yesterday: people have a sovereign right to enjoy their country's natural resources (see S/PV.7619).

We would like to reiterate that country visits by the Chairs of sanctions committees constitute an important element because they allow the Chair to see the reality of the situation on the ground and compare that information with that provided in the reports of panels of experts.

I also said in the Council yesterday that a plethora of procedures and mechanisms in a country can result in contradictions that lead to a dispersal of resources and efforts and increase administrative and financial corruption. We hope that the process of reforming the working methods of the Security Council will be objective and judicious, and ultimately crowned with success.

**The President** (*spoke in Spanish*): I now give the floor to the representative of Eritrea.

**Mr. Tesfay** (Eritrea): I would like to thank the Bolivarian Republic of Venezuela, in particular Ambassador Rafael Darío Ramírez Carreño, for organizing today's important and timely debate on the working methods of the subsidiary bodies of the Security Council.

Given the complex and dynamic global environment, improving the working methods of the subsidiary bodies of the Security Council is of paramount importance. Eritrea strongly believes that a transparent and credible process in the Security Council is not an option but a necessity. For the sake of brevity, I would like to highlight the following three points.

First, with respect to ensuring a comprehensive assessment of the impact of sanctions regimes, once the causes for sanctions are proved not to exist and their implementation is negatively affecting regional and international peace, security and development, as well as people's lives, the Security Council is duty-bound to immediately and unconditionally lift sanctions. Legal and factual issues must be separated from politically and diplomatically motivated agendas. Oranges and apples should not be mixed.

It has been six years since the Security Council imposed unjustified and politically motivated sanctions against Eritrea. To continue to impose the unjust sanctions against Eritrea despite the fact that the Somalia/Eritrea Monitoring Group (SEMG) has reported that the grounds for imposing sanctions do not exist is not only a travesty of justice, iit constitutes collective punishment against the people of Eritrea. However, more important, with the current political and security realities in the Horn of Africa and the Red Sea region, maintaining unjustified sanctions against Eritrea undermines and limits the capacity of a State Member of the United Nations to implement Security Council resolutions to combat global extremism and terrorism or to meaningfully contribute to maintaining regional and international peace and security.

Secondly, with respect to transparency and information sharing, sanctions committees, especially those dealing with country-specific sanctions, need to regularly interact and share information and allegations with the country concerned. Countries under sanctions have every right to receive in a timely manner the full contents of draft and final reports compiled by experts and monitoring groups. That will allow sanctions committees to hear the views of the country concerned, which is consistent with the legal principles of "equality of arms" and "the accused is innocent until proven guilty". Such methods will definitely ensure transparency. It must be underlined that Eritrea, as a

country concerned, continues to be denied access to the monthly assessments and the draft and final reports of the Monitoring Group.

Thirdly, with regard to rigorous examination by experts and monitoring group reports, which is an important aspect of the work of sanctions committees, Eritrea strongly believes that sanctions committees must ensure that the reports of experts and monitoring groups meet the highest evidentiary standard, as stipulated in the report of the Informal Working Group of the Security Council on General Issues of Sanctions, which, inter alia, underscores the need for expert panels to rely on verified information and documents and ensure that

> "their assertions are corroborated by solid information and that their findings are substantiated by credible sources" (*S/2006/997, annex, para. 23*).

Furthermore, the sources of the reports must be clearly identified and known. Sweeping statements such as "information gathered from reliable sources" or "information gathered from former officials" and so on must be rejected and cannot be the basis upon which the Security Council takes its decisions. Sanctions committees must ensure that the contents of the reports of panels of experts are within the purview of the mandate and that experts strictly respect and adhere to the mandate. Whenever experts overstep the mandate, they should be instructed not to do so by the committee. In the same vein, when information provided by experts is found to be false, it must be corrected publicly and as soon as possible.

Again, that has not been Eritrea's experience. In addition to overstepping its mandate, the Somalia/Eritrea Monitoring Group has been making baseless allegations collected from nameless and faceless sources. In the context of maintaining regional and international peace and security, the Group is clearly solely mandated to look into whether Eritrea supports Al-Shabaab in Somalia and into how the border dispute between Eritrea and Djibouti is being handled. However, overstepping its mandate, the Somalia/Eritrea Monitoring Group continues to routinely deal with the Eritrean-Ethiopian conflict, and does so in a manner that ignores context and ramifications. Another equally important aspect is, at least in Eritrea's experience, the fact that the Monitoring Group has routinely reported uncorroborated allegations and refused to rectify them when those allegations were found not to be true.

As the Somalia/Eritrea Monitoring Group has clearly stated that it has found no evidence of Eritrean support for Al-Shabaab and as the Djibouti-Eritrea issue is being handled by the Government of Qatar, with Qatari forces being deployed at the common border between Eritrea and Djibouti, there is no imagined or real threat to international peace and security in which Eritrea is involved. The Security Council must therefore immediately and unconditionally lift the sanctions against Eritrea.

Secondly, given the current fight against global terrorism and extremism, lifting unjust sanctions will enhance peace and security in the Horn of Africa and the Red Sea region. On the other hand, we emphasize that maintaining sanctions can only be a recipe for disaster and chaos.

Thirdly, the unjust sanctions imposed against Eritrea are not linked to the Eritrean-Ethiopian conflict. However, in a manner that disregards context, perspective and ramifications, and in violation of the SEMG mandate and in an attempt to move the goal post, the Somalia/Eritrea Monitoring Group has started to deal with the Eritrean-Ethiopian conflict. Once again, Eritrea underlines that the conflict between Eritrea and Ethiopia is an issue between occupied and occupier. Ethiopian officials' constant military threat against Eritrea must be also taken into consideration. For example, on 7 July 2015, the Prime Minister of Ethiopia, speaking to his Parliament, said that,

> "Ethiopia will be forced to take appropriate action against Eritrea."

On 9 August 2014, during an interview with Ethiopian Tsenat Radio, based in Washington, D.C., the Prime Minister of Ethiopia clearly stated that,

> "The no-war/no-peace situation with Eritrea is over. Ethiopia from now on is ready to take military action against Eritrea."

On 17 April 2012, speaking to the Ethiopian Parliament, the late Prime Minister of Ethiopia Meles Zenawi stated that,

> "The Ethiopian Government has now decided to carry out a more active policy, taking actions against Eritrea. The actions will involve using all means at Ethiopia's disposal to change the Eritrean Government. The other major area where Ethiopia will further strengthen its activities is in

supporting Eritreans in their campaign to change their Government."

In conclusion, the use or threat of force against any country, big or small, is a violation of the Charter of the United Nations and of international law that should be condemned by the Security Council. If the Somalia/Eritrea Monitoring Group and the Security Council want to be involved on this issue under the current agenda item, their option is one and only one: to urge Ethiopia to unconditionally and immediately withdraw from sovereign Eritrean territories, including the town of Badme.

**The President** (*spoke in Spanish*): I now give the floor to the representative of Côte d'Ivoire.

**Mr. Gone** (Côte d'Ivoire) (*spoke in French*): At the outset, Mr. President, I would like to congratulate you on your assumption of the presidency for this month and to assure you of my delegation's support. I also have great pleasure in expressing our appreciation to the President of the Security Council for the month of January, the Permanent Representative of Uruguay, His Excellency Mr. Elbio Oscar Rosselli, and his team for their excellent work, when the positive changes in the situation in Côte d'Ivoire, inscribed on the Security Council agenda, were the subject of a resolution authorizing a reduction in the military component of the United Nations Operation in Côte d'Ivoire. My congratulations also go out to the representatives of Sweden and Chile for their outstanding briefings.

As the representative of a country subject to Security Council sanctions regime, I take a keen interest in taking part in this debate on the working methods of the Council's subsidiary bodies, so as to share experiences and use this opportunity to make several recommendations.

Following the events of September 2002 in Côte d'Ivoire and the subsequent developments, the Security Council placed my country under a sanctions regime by virtue of resolution 1572 (2004). Three types of sanctions were implemented: an arms embargo against Côte d'Ivoire, individual sanctions involving the restriction of movement and the freezing of assets, and an embargo on diamonds originating from Côte d'Ivoire. The political context that prevailed in Côte d'Ivoire during the first six years of the sanctions regime impeded the achievement of real progress. Since 2011, with the swearing in of His Excellency Mr. Alassane Ouattara, President of the Republic, significant changes have taken place in the political and security arenas that have led to great progress towards a return to the peace and stability in the country. Those positive developments led the Security Council to gradually ease the embargo regime on arms. Similarly, in April 2014, with the ongoing improvement of the management of natural resources, the Security Council, in resolution 2153 (2014), lifted the embargo on diamonds originating from Côte d'Ivoire. Following the smooth conduct of the presidential election and the outcomes achieved in the areas of security and stability, Côte d'Ivoire now awaits the total lifting of the arms embargo, following the Secretary General's report expected at the end of March.

As I said earlier, cooperation between my country and the Security Council Committee established pursuant to resolution 1572 (2004) has been marked by a spirit of frank cooperation over the past five years. The Group of Experts and the relevant Ivorian authorities, including the Permanent Mission in New York, have held working meetings on several occasions. The Ivorian Government has always been committed to providing the best possible working conditions for carrying out the mission of the Group of Experts during its periodic visits to the country. A striking illustration of that outsanding cooperation was the field visit made by the Ambassador of Chile, then Chair of the 1572 Sanctions Committee, to Côte d'Ivoire in 2014. During that visit, the Committee was able to appreciate not only developments on the ground, but also the readiness on the part of the Ivorian authorities to make themselves available. It is appropriate to note that the Committee was received by the Head of State.

However, the willingness of a country under a sanctions regime to cooperate effectively with the sanctions committee may sometimes be hampered by deadlines — sometimes just two or three weeks — that often are insufficient in order to furnish the information requested, above all owing to the difficulty of gathering certain information. In that regard, my delegation believes that more time should be allowed for States to respond efficiently to the requests on the part of a group of experts or committee, especially when the subject entails complex issues.

The partially confidential nature of the reports of groups of experts is a practice that deserves equal mention. Providing reports to the countries concerned should enable them to become familiar with experts' observations in a timely manner. As one might infer,

that should endow those reports with a sheen of transparency and balance.

One of the key components of a committee's effectiveness is its thorough knowledge of the subjects that are the object of the sanctions. My delegation notes that the time allotted to new committee Chairs for mastering the subject matter is at times too short. To that end, mechanisms should be devised to allow new Chairs to become familiarized with their case files.

A periodic review of the impact of a sanctions regime is also an essential component that should receive all of the attention that it deserves. It is a matter of adapting a sanctions regime to the changing needs on the ground. In my country's case, the sanctions regime was established to put a halt to ongoing hostilities and establish conditions for lasting peace. With the return of peace and renewed stability, the arms embargo, for example, should be lifted to allow Côte d'Ivoire to confront domestic challenges, such as those related to public safety, border security and the fight against terrorism.

In concluding my remarks, I would like to reiterate the gratitude of my delegation to you, Sir, for the honour that has been bestowed upon my country in having been invited to take part in this debate. I have high hope that the conclusions of this debate will help to improve the working methods of the Council's subsidiary bodies and, in particular, those of the committees and working groups.

**The President** (*spoke in Spanish*): I now give the floor to the representative of the Central African Republic.

**Mr. Koyma** (Central African Republic) (*spoke in French*): I would like to thank you, Mr. President, for having convened this debate, which gives States under sanctions regimes an opportunity to express their views with regard to problems linked to respecting Security Council sanctions, the implementation of which are ensured by the committees of the Council, established by various resolutions. My thanks also go to the representatives of Sweden and Chile for their important contributions to this debate. As 22 delegations have already discussed issues relating to transparency, regime length and procedures, my delegation will limit itself to listing the problems facing the Central African Republic.

Regarding the fight against the proliferation of weapons, all it takes for a sanctions regime to be rendered ineffective is for a neighbouring State to support a rebellion or a listed entity or individual. That is why, among other measures aimed at ensuring effectiveness, strong political and diplomatic pressure must be brought to bear when needed on the States neighbouring the State under sanctions.

With respect to the travel-ban issue, it so happens that recently in the Central African Republic a person under sanctions was moving about freely, going in and out of the territory at will. Since that person's identity was no secret during border crossings, we have to question the role of INTERPOL in the implementation of sanctions regimes, as well as the monitoring by the panel of experts of the implementation of the sanctions imposed by the Security Council. This raises once again the issue of the binding nature of the resolutions of the Security Council with respect to Members of the Organization that deliberately violate the provisions and principles of the Charter.

Turning to the arms embargo, one of the challenges facing the effective implementation of the arms embargo on the Central African Republic is the fact that it shares its north-eastern and eastern borders with Sudan and South Sudan, which are dealing with rebellions of their own as well as the Lord's Resistance Army, which flout not only the sanctions regime but also the treaty governing the uncontrolled circulation of and trade in arms, despite the political goodwill of those brotherly States.

To be effective, the embargo must be complemented by border control. However, the Central African Republic faces the issue of vetting, which is a process of reform of the defence and security forces that is very lengthy and costly for this fragile country.

These are some of the challenges facing the Central African Republic with respect to the effectiveness of the sanctions regime.

*The meeting rose at 1.15 p.m.*